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09/592,596	06/12/2000	Richard Humpleman	SAM1.0067	7063

7590

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EXAMINER

NGUYEN, NHON D

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/592,596

Applicant(s)

HUMPLEMAN ET AL.

Examiner

Nhon (Gary) D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This communication is responsive to amendment, filed 06/10/2005.
2. Claims 1-27 are pending in this application. Claims 1, 11, and 21 are independent claims.

In this amendment, no claim is canceled, no claim is amended, and no claim is added. This action is made final.

#### ***Terminal Disclaimer***

3. The examiner notes Applicant's submission of Terminal Disclaimer filed 06/10/2005 to overcome provisional obviousness-type double patenting rejection. However, the examiner maintains the current double patenting rejection at the present time, pending an official decision by the Office Paralegal regarding acceptance of said disclaimer.

#### ***Double Patenting***

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 1, 6, 7, 9, 10, 11, 16, 17, 19, 20, 21, 23, 24, 26 and 27 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, and 11-13 of copending Application No. 09/592598 in view of Saito et al ("Saito", US 6,523,696).

This is a provisional obviousness-type double patenting rejection.

As per claim 1, 11 and 21, claim 1 of 09/592598 claims the same subject matter as claims 1, 11 and 21 of 09/592596 except that first devices, capable of displaying a user interface, are connected to a first network and second devices are connected to a second network. Claim 1 of 09/592598 only discloses all the devices are connected to one single network. However, Saito teaches obtaining information from said first devices currently connected to the first network (*1<sup>st</sup>* and *2<sup>nd</sup> Home Network 203* of fig. 7), and obtaining information from the interface device (*PC 210* of fig. 7) about the second devices connected to the second network (*Home Automation Network 212* of fig. 7; col. 21, lines 50-60). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teaching from Saito of having first display-capable devices and second devices connected to the first and second network, respectively, in claim 1 of 09/592598 since it would have allowed devices to be controlled over different networks.

As per claims 6, 16 and 23, claim 6 of 09/592598 claims the same subject matter as claims 6, 16 and 23 of 09/592596.

As per claims 7, 17 and 24, claim 12 of 09/592598 claims the same subject matter as claims 7, 17 and 24 of 09/592596.

As per claims 9, 19 and 26, claim 11 of 09/592598 claims the same subject matter as claims 9, 19 and 26 of 09/592596.

As per claims 10, 20 and 27, claim 13 of 09/592598 claims the same subject matter as claims 10, 20 and 27 of 09/592596.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al (“Saito”, US 6,523,696).

As per independent claim 1, Saito teaches a computer implemented method and corresponding system for providing user interfaces in a first network including first devices interconnected via a communication medium and at least one interface device connecting said first network to at least a second network having interconnected second devices, the user

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interfaces for controlling the devices that are currently connected to the first network and devices that are currently connected to the second network, comprising the steps/means:

obtaining information from said first devices currently connected to the first network (*1<sup>st</sup>* and *2<sup>nd</sup>* *Home Network 203* of fig. 7), said information including graphical and/or textual information (col. 21, lines 5-10);

obtaining information from the interface device (*PC 210* of fig. 7) about the second devices connected to the second network, said information including graphical and/or textual information; and (*Home Automation Network 212* of fig. 7; col. 21, lines 50-60);

generating a user interface description in one or more of said first devices based at least on the obtained information, the user interface description in each first device including: at least one graphical and/or textual reference of said first devices that are currently connected to the first network, and at least one graphical and/or textual reference of said second devices that are currently connected to the second network (fig. 14, col. 23, lines 12-23).

displaying a user interface on a device connected to the first network capable of displaying a user interfaces (fig. 14, col. 23, lines 12-23), by:

using each reference in a user interface description to access the associated information in each corresponding device; generating the user interface including device data corresponding to each device using the accessed information in each device; and displaying the user interface on said device capable of displaying a user interface (fig. 14, col. 23, lines 12-23).

As per claim 2, which is dependent on claim 1, Saito teaches said interface device includes information about the second devices (col. 21, lines 50-60).

As per claim 3, which is dependent on claim 1, Saito teaches the first network comprises a 1394 bus (*1<sup>st</sup>* and *2<sup>nd</sup>* Home Network of fig. 7), and the second network comprises a non-1394 bus (*Home Automation Network* of fig. 7).

As per claim 4, which is dependent on claim 3, Saito teaches the interface device includes an address extension table for the second devices, and wherein step of obtaining information from the interface device further includes the steps of using the address extension table to access said second devices (col. 24, lines 41-67 through col. 25, lines 1-3).

As per claim 5, which is dependent on claim 1, it is inherent in Saito's system that the PC device 210 (fig. 17B) would include a bridge device acted as an interface between the 2<sup>nd</sup> Home Network and Home Automation Network.

As per claim 6, which is dependent on claim 1, Saito teaches displaying one or more user interfaces each based on one of said one or more user interface descriptions, on one or more devices connected to the first network capable of displaying a user interface, for user control of said first and second devices (fig. 14, col. 23, lines 12-23).

As per claim 7, which is dependent on claim 6, Saito teaches the step of displaying each user interface further includes the steps of:

using each reference in the corresponding user interface description to access the associated information in each device; generating the user interface including device data corresponding to each device using the accessed information in each device; and displaying the user interface on said device capable of displaying a user interface (fig. 14, col. 23, lines 12-23).

As per claim 8, which is dependent on claim 1, Saito teaches the step of generating a user interface description further comprises the steps of: associating a hyper-text link with the device information of one or more of said first and second devices (col. 33, lines 57-67 through col. 34, lines 1-8).

As per claims 9 and 10, which are dependent on claims 1 and 9 respectively, Saito teaches the information in each device includes a user control interface description for user interaction with the device and the step of generating a user interface description further includes the steps of generating each user interface description such that each reference in that user interface description is to at least the user control interface description in each corresponding device (fig. 14, col. 23, lines 12-23 and col. 25, lines 35-49).

As per independent claims 11 and 21, they are similar in scope to claim 1; therefore, they should be rejected under similar rationale.

As per claim 12, which is dependent on claim 11, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claims 13 and 22, which are dependent on claims 11 and 21 respectively, they are similar in scope to claim 3; therefore, they should be rejected under similar rationale.

As per claim 14, which is dependent on claim 13, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.

As per claim 15, which is dependent on claim 11, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

As per claims 16 and 23, which are dependent on claims 11 and 21 respectively, they are similar in scope to claim 6; therefore, they should be rejected under similar rationale.

As per claims 17 and 24, which are dependent on claims 16 and 23 respectively, they are similar in scope to claim 7; therefore, they should be rejected under similar rationale.

As per claims 18 and 25, which are dependent on claims 11 and 21, they are similar in scope to claim 8; therefore, they should be rejected under similar rationale.

As per claims 19 and 26, which are dependent on claims 11 and 21 respectively, they are similar in scope to claim 9; therefore, they should be rejected under similar rationale.

As per claims 20 and 27, which are dependent on claims 19 and 26 respectively, they are similar in scope to claim 10; therefore, they should be rejected under similar rationale.

***Response to Arguments***

8. Applicant's arguments filed 06/10/2005 have been fully considered but they are not persuasive.

Applicant argued the following:

(a) Saito does not disclose obtaining graphical and/or textual information. In column 21, lines 50-60, Saito does not require that the service information in the ROM about A/C 213 or M/O 214 comprises "graphical and/or textual information", as required by claim 1.

(b) Saito does not disclose generating a user interface description and generating a user interface from a user interface description, as required by claim 1. Saito's fig. 14 shows a screen display, not a user interface description as claimed herein. As claimed herein, the user interface description is first generated and then in another step, that user interface description is utilized to generate and display one or more user interfaces.

(c) Saito does not disclose using each reference in the user interface description to access the associated information in each corresponding device and generate a user interface that includes device data corresponding to each device using the accessed information in each device, as required by claim 1.

(d) Saito does not disclose that the interface device includes an address extension table for the second devices and that obtaining information from the interface device further includes the steps of using the address extension table to access said second devices.

(e) Saito does not disclose that the interface device is a bridge device. Saito has no mention of a bridge for connecting two different networks. Saito teaches away from using bridges (col. 12, lines 31 - 34 and col. 17, lines 43-57).

(f) As discussed in relation to Claim 1, in Fig. 14 and col. 23, lines 12-23, Saito simply shows generic screens where various network elements are each shown as a box with text therein. There is no disclosure in Saito of using a reference, such as a link, in a user interface description to access the device information of a device connected to the network, and then generate a user interface based on the accessed information for display, as claimed.

(g) Saito does not describe that the user interface description includes hyper-text links to information of the devices currently connected to the network. Saito does not disclose that the hyper-text links in the user interface description are used to access information associated with the devices currently connected to the network in order to generate a user interface for user interaction.

(h) Saito does not disclose that a device connected to the network has a specific user control interface therein, which is then accessed via a reference in a user interface description to generate a user interface that displays the specific user control interface of that device for user interaction.

Examiner disagrees for the following reasons:

(a) Saito further teaches about graphical and textual information stored as information in ROM in column 22, line 66 to column 12, line 23, in which Saito teaches the process of

recognizing terminals or services by reading the configuration ROM on the 1394 bus and displaying the graphical icons and associated texts on the display screen as in figures 13 and 14.

(b) The user interface description according to the specification of the present application is just a top-level devices GUI as illustrated in figure 5 of the present application, for example. This top-level devices GUI (or the user interface description) includes graphical icons and textual references of the devices that are currently connected to the network. Users can click on the device icons or texts to generate one or more detail user interfaces of the associated devices. Saito clearly teaches a top-level device GUI (or a user interface description) includes graphical icons and textual references of the device that are currently connected to the network in figure 14, for example. Selecting on these references would generate and display further user interfaces of the associated devices (e.g. col. 35, lines 11-29).

(c) Saito clearly teaches that feature in column 28, lines 15-33 by reciting that when it is desired to makes an access to a service of the second home network, the external terminal makes an access to the address and the port number presented in the URL shown in fig. 19. For example, consider the case where the user operates the first AV connecting device 204 to obtain video data from the DVD player 208, which is the 1394 terminal on the second home network, and displays the obtained video data on the digital TV 207. In this case, first, the user clicks an icon of the DVD player on the display of fig. 20. Then, a group of operation buttons for operating the DVD will be displayed on the screen as shown in fig. 21, for example.

(d) Since the assigned port addresses of the air conditioner 253 (fig. 16C) and the microwave oven 254 are registered information contents for which the PC 210 is the proxy, these port addresses have to be stored in form of a table of addresses.

(e) A bridge device is used to connect between two different networks. PC 210 connects the first 1394 BUS 203 network devices 208, 209 and 211 to the second HOME AUTOMATION network devices 213 and 214 and allows the terminal devices connected to the 1394 BUS network (first network) to control the devices connected to the HOME AUTOMATION network 212 (second network) (col. 21, lines 40-50). Therefore, PC 210 is also considered a bridge device.

(f) In order to generate the graphical user interface in one of the terminal devices connected to the first 1394 BUS network as shown in fig. 14, the terminal devices connected to the 1394 bus have to obtain user interface description of the home automation network devices 212 stored in the configuration ROM (col. 21, lines 40-52 and col. 22, lines 15-26).

(g) A home page that can be reached through a hyper link from an icon is generated by the user interface description depending on the devices connected to the network (col. 33, line 57 – col. 34, line 8); therefore, Saito does teach the user interface description includes hyper-text links to information of the devices currently connected to the network. Saito does disclose that the hyper-text links in the user interface description are used to access information associated with the devices currently connected to the network in order to generate a user interface for user interaction in col. 33, line 57 through col. 34, line 8.

(h) Every device connected to the network of fig. 7 has to have a specific user control interface so that it can be generated as icon in the fig. 14 (col. 23, lines 12-23 and col. 25, lines 34-59) and to be accessed and controlled by the display device through a reference in a user interface description as explained above in (c).

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

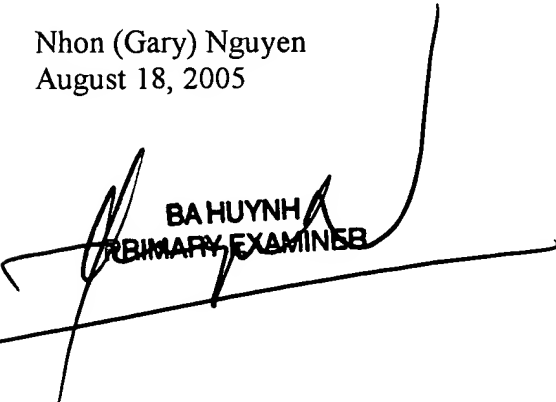
***Inquiries***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D. Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571)272-4847. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen  
August 18, 2005

  
BA HUYNH  
PRIMARY EXAMINER